

MINUTES OF THE CANANDAIGUA CITY
COUNCIL MEETING
THURSDAY, MARCH 2, 2017 7:00 P.M.
City Council Chambers
City Website: canandaiguanewyork.gov

Mayor Polimeni called the meeting to order at 7:00 PM

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 2 Anita Twitchell
Councilmember Ward 3 Karen White
Councilmember-at-Large Matt Martin
Councilmember-at-Large Robert O'Brien
Mayor Ellen Polimeni

Members Absent: Councilmember Ward 4 Cindy Wade – Away on business
Councilmember-at-Large James Terwilliger – Schedule Conflict
Councilmember-at-Large David Whitcomb (Arrived at 7:03 PM)

Also Present: City Manager Ted Andrzejewski
Corporation Counsel Michele O. Smith
City Clerk-Treasurer Nancy C. Abdallah
Assistant City Manager John Goodwin

Review of Community Core Values: Councilmember Ward 1 Cutri read Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Approval of Minutes:

Councilmember Ward 1 Cutri moved for the approval of the Council Minutes of February 2, 2017. Councilmember Ward 3 White seconded the motion.

Vote Result: Carried unanimously by voice vote. (7-0)

Recognition of Guests:

- Police Chief Stephen Hedworth recognized Police Officer Michael Felice who was awarded with the Meritorious Service Award for saving the life of a neighbor who was trapped inside a burning home in Waterloo. Officer Felice, who is also a volunteer firefighter in Waterloo, was off duty when he noticed smoke at a neighbors and assisted firefighters in the search and rescue of the resident.

Committee Reports:

Planning Development Committee Meeting: February 14, 2017 (Appendix A)

- Maur house modification
- Sewer Fund capital fund budget amendment

- Strategic Plan

Environmental/Parks Committee Meeting: No Meeting

Ordinance/Charter Committee Meeting: February 21, 2017 (Appendix B)

- Vending guidelines and regulations
- Food Trucks

Finance/Budget Committee Meeting: February 28, 2017 (Appendix C)

- Fire Services Report
- Kershaw Food Concession
- Policy Review
- Sewer Fund Capital Budget Amendment
- Multiple Streets reconstruction
- Three supplemental motions presented by Mayor
- Discussions with Genecco and Bob Murphy

Charter Review: February 15, 2017 (Appendix D)

Planned Unit Development: No Meeting

Resolutions:

Resolution #2017-015:

Moved: Mayor Polimeni

Seconded: Councilmember-at-Large Whitcomb

A RESOLUTION RECOGNIZING AND THANKING RETIRED SECRETARY TO THE CITY MANAGER/RECREATION PROGRAMS DIRECTOR KATIE OUTHOUSE FOR HER 23 YEARS OF SERVICE TO THE CITY OF CANANDAIGUA

WHEREAS, Katie Outhouse has served as the Secretary to the City Manager/ Recreation Programs Director for the City of Canandaigua from October 4, 1993 until she celebrated her retirement on February 24, 2017; and

WHEREAS, during her 23+ years Katie has ensured that the City's recreation programs were fun, enjoyable, memorable and met the needs and interest of the community; and

WHEREAS, Katie has happily greeted and helped anyone that visited or called City Hall and has been an invaluable asset in the City Manager's Office; and

WHEREAS, Katie Outhouse has served under five City Managers, one Mayor, and twelve City Councils; and

WHEREAS, during her career Katie Outhouse has performed her duties with dedication and has been a model for customer service, professional behavior and has won the respect and admiration of the community, her peers and coworkers; and

WHEREAS, though her work during her 23+ years, Katie has positively touched the lives of countless children in the Canandaigua community and guaranteed that the Summer Day Camp and Kiddie Camp were the highlight of the summer for the many children that attended and the camp councilors;

NOW, THEREFORE, BE IT RESOLVED, that the Canandaigua City Council, on behalf of the residents of the City of Canandaigua, does hereby recognize and thank Katie Outhouse for her 23+ years of dedicated service to the City of Canandaigua and wishes her many happy years of retirement.

Vote Result: Carried unanimously by voice vote. (7-0)

Resolution #2017-016:

Moved: Councilmember Ward 2 Twitchell

Seconded: Councilmember Ward 3 White

**A RESOLUTION AUTHORIZING AN ADDITION
TO THE MUAR HOUSE**

WHEREAS, by Resolution #2016-004 the City entered into a lease agreement with Twisted Rail Brewing Company for use of the Muar House; and

WHEREAS, in accordance with the lease, no alterations or improvements can be made to the structure without written approval of the City Council; and

WHEREAS, Twisted Rail Brewing Company submitted a plan for an addition to allow for a commercial kitchen which was reviewed and approved by the Planning/Development Committee at its February 14, 2017 meeting; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the Twisted Rail Brewing Company is authorized to construct an addition to the rear of the building in the northeast corner of the Muar House and after they have obtained all necessary permits;

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2017-017:

Moved: Councilmember Ward 1 Cutri

Seconded: Councilmember Ward 2 Twitchell

**A RESOLUTION RECOGNIZING AND THANKING RETIRED
PARKS BUREAU AND URBAN FORESTRY GROUNDSKEEPER,
ELAINE POLLÉ
FOR HER 29 YEARS OF SERVICE TO THE CITY OF CANANDAIGUA.**

WHEREAS, Elaine Pollé has served as the Parks Bureau/Urban Forestry Groundskeeper for the City of Canandaigua from November 9, 1987 until she celebrated her retirement on February 24, 2017; and

WHEREAS, during her 29+ years Elaine has ensured that the City's Parks, Urban Forestry and flower beds were kept neat and beautiful in meeting with the needs and interest of the community; and

WHEREAS, Elaine has happily worked tirelessly to ensure the beauty of the City and has been an invaluable asset in the Parks Bureau; and

WHEREAS, Elaine Pollé is most notable for her dedication to downtown beautification and professional dedication to ensuring the flowers and plants along Main Street impress all who travel Main Street; and

WHEREAS, during her career, Elaine Pollé has performed her duties with dedication and has been a model for diligence, professional behavior and has won the respect and admiration of the community, her peers and coworkers; and

WHEREAS, Elaine Pollé, through her professional work of 29+ years positively ensured the safety and care of all City parks, and playground equipment for children and adults alike of the Canandaigua community;

NOW, THEREFORE, BE IT RESOLVED, that the Canandaigua City Council, on behalf of the residents of the City of Canandaigua, does hereby recognize and thank Elaine Pollé for her 29+ years of dedicated service to the City of Canandaigua and wishes her many happy years of retirement.

Vote Result: Carried unanimously by voice vote. (7-0).

Resolution #2017-018:

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember-at-Large Martin

A RESOLUTION AWARDING A CURED-INPLACE SEWER PIPE LINING CONTRACT AND APPROPRIATING FUNDS TO THE SEWER FUND CAPITAL BUDGET

WHEREAS, the City of Canandaigua, as a part of its on-going maintenance of its sanitary sewer collection system has sewer pipes lined; and

WHEREAS, the City publicly advertised for bids and directly contacted five qualified contractors for the installation of cured-in-place sewer pipe lining; and

WHEREAS, bids for the required work were received on February 24, 2017, with the lowest responsive bid submitted by Insituform Technologies in the amount of \$182,740; and

WHEREAS, funding in the amount of \$100,000 for this sewer replacement and/or lining is appropriated annually as part of the sewer fund capital budget and was included in the adopted City of Canandaigua 2017 budget; and

WHEREAS, the 2016 appropriation was not used as the City was unable to piggy back off of another municipal contract which required that the City bid out the work on its own and re-appropriate of the unspent 2016 funds; and

WHEREAS, the Finance/Budget Committee reviewed and approved the contract and re-appropriation at its February 28, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED, that the City Council authorizes an increase to the 2017 Sewer Fund Capital Budget in the amount of \$82,740 which will be offset by a transfer from the Sewer Collection Reserve; and

BE IT FURTHER RESOLVED, that the City Council hereby authorizes the City Manager to execute a contract with Insituform Technologies, 253 F Worcester Road, Charlton, MA 01507 to complete the installation of cured-in-place sewer pipe lining.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2017-019:

Moved: Councilmember Ward 2 Twitchell

Seconded: Councilmember Ward 3 White

**A RESOLUTION AUTHORIZING A REVOCABLE LICENSE
AGREEMENT TO OPERATE THE
KERSHAW PARK FOOD SERVICE CONCESSION**

WHEREAS, proposals were requested and sent on January 13, 2017 to operate the food service concession at Kershaw park with a pre-proposal meeting held on Tuesday, January 31, 2017; and

WHEREAS, one proposal was received by Abdallah Family Foods, Inc, 201 Gibson Street, Canandaigua, New York in the amount of \$2,205; and

WHEREAS, it is the recommendation of City staff to award a contract to Abdallah Family Foods, Inc; and

WHEREAS, the licensee has requested that it be permitted to open from April 15th - October 15th instead of the May 1st – September 15th provided for in the RFP;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes the City Manager to execute a revocable license agreement with Abdallah Family Foods, Inc to provide the food service concession at Kershaw Park with an annual license fee amount of \$2,205 with the option to renew this license for two successive beach seasons.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2017-020:

Moved: Councilmember Ward 3 White

Seconded: Councilmember Ward 2 Twitchell

A RESOLUTION AMENDING THE 2016 GENERAL FUND AND CAPITAL BUDGET

WHEREAS, in 2015 the City commenced on its 2015 Multiple Street Reconstruction Project which included the reconstruction of Hubbell, Brook and Dungan Streets and Scotland Road; and

WHEREAS, this project was funded via bonding authorized up to \$2,900,000 with costs that included the following,

- \$2,398,040.60 for the construction
- \$220,000 for engineering and inspection
- \$200,000 construction contingency
- \$35,000 estimated bond issuance costs
- \$45,000 direct bill items (e.g., compaction testing of placed materials); and

WHEREAS, during construction additional bedrock was required to be removed (eight times as estimated), additional temporary asphalt was required due to delays in the project start date and an error was discovered in the published bid documents which resulted in additional quantities of subbase, binder asphalt and top asphalt than the quantities included in the bid documents; and

WHEREAS, these changes resulted in the construction contingency of \$200,000 being exceeded with the additional costs totaling \$269,577.01; and

WHEREAS, the soft costs (bonding, engineering and inspection) were under budget and have a total of \$45,089.22 available to be transferred to cover the additional construction costs; however, \$24,487.79 is necessary from other sources to fund the balance; and

WHEREAS, staff recommended that City Council transfer \$24,487.79 from the 2016 General Fund to the Capital Bond Fund to fund the construction overage utilizing unanticipated CHIPS revenue and said recommendation was reviewed and approved by the Finance/Budget Committee at its February 28, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Canandaigua hereby authorizes the transfer of all unexpended budget lines in the bond fund to the construction budget in the amount of \$45,089.22; and

BE IT FURTHER RESOLVED, that the City Council of the City of Canandaigua hereby transfers \$24,487.79 from the 2016 General Fund to the Capital Bond Fund; and

BE IT FURTHER RESOLVED, that no payment shall be made until an investigation into this matter is completed with the results reported to City Council.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2017-021:

Moved: Councilmember-at-Large O'Brien
Seconded: Councilmember-at-Large Whitcomb

**A RESOLUTION
RATIFYING THE TENTATIVE COLLECTIVE BARGAINING AGREEMENT
WITH THE CANANDAIGUA POLICE OFFICERS ASSOCIATION
(As Amended)**

WHEREAS, the collective bargaining agreement between the Canandaigua Police Officers Association and the City of Canandaigua expired on December 31, 2016; and

WHEREAS, the negotiating teams for the parties have reached a tentative agreement for a new collective bargaining agreement for the years 2017 through 2021; and

WHEREAS, the Canandaigua Police Officers Association ratified the tentative agreement on February 13, 2017, and

WHEREAS, the tentative collective bargaining agreement includes wage increases that have not been authorized in the 2017 adopted budget; and

WHEREAS, the City Manager recommends the ratification of this agreement by the City Council;

NOW, THEREFORE, BE IT RESOLVED, that the tentative agreement, which provides for an increase in wages of 2% for years 2017 through 2019 and 1.75% for years 2020 and 2021 of the contract, is hereby ratified and such additional funds, if necessary, shall be allocated from the contingency fund; and

BE IT, FURTHER RESOLVED, that the City Manager is hereby authorized to execute a collective bargaining agreement consistent with the terms of the tentative agreement commencing March 1, 2017 and expiring December 31, 2021.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2017-022:

Moved: Councilmember-at-Large Whitcomb
Seconded: Councilmember Ward 1 Cutri

A RESOLUTION ESTABLISHING STANDARD WORK DAY

WHEREAS, The New York State and Local Retirement System and the New York State Police and Fire Retirement System, requires that a standard work day be established for retirement credit purposes; and

WHEREAS, the attached list of current City of Canandaigua positions that are available to have employee's assigned to as per Ontario County Department of Human Resources; and

WHEREAS, the Standard work day hours as assigned per position has been or will be used to calculate and report Days worked for above mentioned New York Retirement Systems; and

WHEREAS, the Finance/Budget Committee reviewed and endorsed the establishment of the standard work days at its February 28, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby establishes the Standard Work Day for each position and will report days worked to the The New York State and Local Retirement System and the New York State Police and Fire Retirement System based on the time keeping system or the record of activities.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2017-023:

Moved: Councilmember-at-Large Whitcomb

Seconded: Councilmember Ward 2 Twitchell

**A RESOLUTION UPDATING THE CITY OF CANANDAIGUA
INVESTMENT POLICY**

WHEREAS, the City of Canandaigua's Investment Policy was developed to provide the Clerk-Treasurer with direction regarding the investment of money and other financial resources belonging to the City of Canandaigua; and

WHEREAS, the Clerk-Treasurer recommends the following changes to the policy; and

WHEREAS, it is desirable to change the banking designations for the City by deleting First Niagara Bank and adding Key Bank to reflect a bank merger; and

WHEREAS, the Finance/Budget Committee, at its February 28, 2017 meeting, reviewed and approved the proposed updated policy;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the attached updated Investment Policy changing certain banking designations be adopted.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2017-024:

Moved: Councilmember-at-Large Martin

Seconded: Councilmember Ward 1 Cutri

**A RESOLUTION ADOPTING THE CITY OF CANANDAIGUA
ELECTRONIC BANKING POLICY**

WHEREAS, the New York State Comptroller recommends that the City of Canandaigua adopt an electronic banking policy to ensure that internal controls are updated for the new technological world; and

WHEREAS, the Clerk-Treasurer prepared and recommended an electronic banking policy; and

WHEREAS, the Finance/Budget Committee, at its February 28, 2017 meeting, reviewed and approved the proposed policy;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the attached Electronic Banking Policy be adopted.

The motion CARRIED UNANIMOUSLY on the following vote:

***AYES:** Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

***NOES:** None*

Resolution #2017-025:

Moved: Councilmember-at-Large Whitcomb

Seconded: Councilmember Ward 1 Cutri

RESOLUTION #2017-025

A RESOLUTION CALLING ON THE CITY OF CANANDAIGUA, RESIDENTS AND BUSINESS OWNERS TO ADOPT THE "THINK DIFFERENTLY" INITIATIVE TO ASSIST INDIVIDUALS WITH SPECIAL NEEDS AND THEIR FAMILIES

WHEREAS, the "Think Differently" initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals on the Autism Spectrum and with special needs; and

WHEREAS, our state and communities are stronger because of our diversity and differences; and

WHEREAS, the Center for Disease Control (CDC) indicates there are over 55 million people, or 19 percent of Americans, that have a type of disability or special need, and local school data indicates that 1 percent of our students have special needs, and

WHEREAS, for some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences and uniqueness; and

WHEREAS, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special need and their families; and

WHEREAS, it is important to encourage and educate the community and businesses on ways they can make facilities and services more accessible and how they can train staff to welcome and support special needs customers and co-workers;

NOW, THEREFORE, BE IT RESOLVED, that the City of Canandaigua asks business owners and residents to join the “Think Differently” initiative and strive to include those with special needs and those on the Autism Spectrum as they live, work and play in our city.

Vote Result: Carried unanimously by voice vote. (7-0)

Resolution #2017-026:

Moved: Councilmember Ward 1 Cutri

Seconded: Councilmember-at-Large Whitcomb

**A RESOLUTION SUPPORTING RESEARCH AND FUNDING TO ADDRESS HARMFUL
ALGAL BLOOMS IN THE FINGER LAKES**

WHEREAS, the Finger Lakes are a valuable natural resources and economic asset to upstate New York communities, greatly contributing to both the economy and the quality of life for residents in and around the City of Canandaigua; and

WHEREAS, although blue-green algae appears naturally in most bodies of fresh water in low numbers as part of the aquatic environment, toxic Harmful Algal Blooms “HABS” are increasingly abundant in Canandaigua Lake over the last several years; and

WHEREAS, in 2016 HABS have been confirmed or suspected in seventy (70) of New York State’s lakes and fifty-two (52) ponds, negatively impacting the water quality of our lakes; and

WHEREAS, these HABS may produce harmful toxins that pose dangerous health risks to people and animals, and if left unchecked can threaten drinking water supplies, lead to decreases in property value and reduce the recreational value of our lakes, all resulting in an adverse impact on the economy of not only the City of Canandaigua, but the entire region; and

WHEREAS, additional research and funding is essential to determining how to prevent the formation of HABS in our lakes and how to dissipate these harmful blooms;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Canandaigua is prepared to actively partner with our experienced watershed, county and local entities to request funding for research and implementation and support effective strategies to control HABS when identified; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded by the City Clerk/Treasurer to the Commissioner of Health, the Commissioner of the Department of Environmental Conservation, the New York State Conference of Mayors, Senators Charles E. Schumer and Kirsten Gillibrand, Congressman Chris Collins, Governor Andrew Cuomo, Senator Pam Helming and Assemblyman Brian M. Kolb.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O’Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2017-027:

Moved: Councilmember-at-Large Martin

Seconded: Councilmember-at-Large Whitcomb

**A RESOLUTION REQUESTING AN INCREASE IN ARTERIAL MAINTENANCE
REIMBURSEMENT TO CITIES**

WHEREAS, there are currently thirty-eight (38) cities that have arterial maintenance agreements with the State of New York and pursuant to these agreements, the cities maintain certain designated State-owned arterial highways and the State compensates those cities for this service; and

WHEREAS, since its inception in 1951, the arterial maintenance agreement has been a very effective and efficient model for maintenance of these State highways, as it relieved the State of its maintenance responsibilities and provided municipalities a certain amount of autonomy of handling the “how” and “when” the roads are maintained; and

WHEREAS, under the current formula, however, the cities in the program are significantly underpaid for the costs of this highway maintenance, which includes street cleaning, snow and ice control, pothole patching, and signage and pavement markings; and

WHEREAS, since 1987, the State has reimbursed cities at a rate of \$0.85 per square yard of pavement, with no adjustments to reflect current costs while cities have experienced significant costs increases over the last thirty (30) years; and

WHEREAS, while Canandaigua and other cities have continued our shared service responsibility by maintaining State highways in a prompt and efficient manner, the State’s reimbursement has not been parallel with local government efforts and shared service agreements can only be successful when all parties involved receive meaningful benefits in return; and

WHEREAS, the New York Conference of Mayors, on behalf of the thirty-eight (38) cities has requested that the State Budget raise the reimbursement formula to \$1.77 per square yard, a rate which reflects the Consumer Price Index (CPI) increase since 1987, and index it annually to CPI; and

WHEREAS, if the State was solely responsible for maintain these highways, their fiscal exposure would far exceed the reimbursement that would be paid to cities under this proposal;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Canandaigua requests that the State Budget raise the reimbursement formula to \$1.77 per square yard and index it annually to CPI; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded by the City Clerk/Treasurer to Governor Andrew Cuomo, Senator Pamela Helming, Assemblyman Brian M. Kolb, Senate Finance Committee Chair Catharine Young, Assembly Ways and Means Chair Herman Farrell, Jr., Senate Transportation Committee Chair Joseph E. Robach and Assembly Transportation Committee Chair David Gantt

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large Martin, Councilmember-at-Large O’Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Ordinances: None

Local Laws: None

Manager's Report: City Manager Ted Andrzejewski reported the following:

- FLTV.org will the Canandaigua City Channel will host Canandaigua Conversations which is a monthly talk show with the City Manager talking about events and operations of the City.
- The City has found an individual for the Recreation Supervisor position and we will also be replacing a position in the Clerk's office and the Parks Department.
- Economic Development:
 - A new Byrne Dairy is replacing Ranks on West Ave.
 - The Lisk project is moving forward.
 - Denise in the BID is actively showing empty storefronts to prospective businesses.
- The Sewer lining project is very important to prolong sewer lines instead of tearing up the streets
- Union negotiations are progressing with DPW and the Fire department.
- The State is talking about tying shared services to AIM funding. We have pursued many shared services activities such as sharing IT and Assessment services with the City of Geneva.

Appointments: None

Miscellaneous:

- Representatives from Sotherby's Realtors Association has been asked by the Association President to come and take about the Lakefront project. They have gathered a group of investors interested in working iwrt the City and the Developers.
- Council thanked the BID for the event last weekend even though the weather did not cooperate.

Adjournment

Councilmember-at-Large Whitcomb moved to adjourn the regular session at 8:36 PM. Councilmember-at-Large Martin seconded the motion.

Vote Result: Carried unanimously by voice vote (7-0).

Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua

**APPENDIX A
PLANNING/DEVELOPMENT**

Tuesday, February 14, 2017

7:00 p.m.

Hurley Building Conference Room

Committee: Cindy Wade, Chair' Robert O'Brien, Jim Terwilliger, Anita Twitchell

Other Council Members: Ellen Polimeni; Matt Martin, David Whitcomb, Karen White

Staff: John Goodwin; Jim Sprague

1. Muar House Modifications

Last year the City leased the Muar House to Twisted Rail Brewing Company. The lease agreement requires that all alternations or improvements be approved by City Council. Twisted Rail is seeking the approval of an alternation to add the necessary equipment for a commercial kitchen so that the venue can have a similar menu as their other locations. Twisted Rail is proposing a small addition (approximately 4' by 10') to the north east portion of the building. The addition would be designed and built to match existing roof lines and building materials. The extra space will allow for the addition of an oven, stove top, fryers and ventilation hood. It should be noted that the addition will take the place of a portion of the previously approved expanded deck to the east (Lake Outlet side). Representatives from Twisted Rail plan to attend the meeting and present the proposed changes. Proposed drawings will be sent as soon as they are made available. John Goodwin briefly introduced the item. The plans presented before the committee were different from the description on the agenda in that the addition (12' by 10.6') was larger and toward the rear of the property (northern end). Staff recommended that the Committee approve the addition as it would add value to the City's property and assist in leasing the space if Twisted Rail were to leave in the future.

2. Sewer Fund Capital Budget Amendment

The 2016 Sewer Fund Capital Budget included \$100,000 for sewer lining. The City intended to piggy-back off of the City of Geneva contract, but learned in December 2016 that the Geneva contract did not include the necessary piggy-back provisions. As such, the \$100,000 was not spent. The Department of Public Works is currently bidding for sewer lining in 2017 and would like to include funds from the 2016 appropriation. Staff wanted to make City Council aware of this plan and ensure that Council was okay with this plan. A straw vote was taken and received full support. A formal approval will be requested at the Finance/Budget Committee on Feb 28, 2017.

3. 2016/2017 Strategic Plan

The Planning/Development Committee last reviewed and discussed the strategic plan at its June 7, 2016 meeting. This item is meant to provide the Committee the opportunity to review the plan, update progress and re-prioritize strategic plan goals. Attached is the Strategic Plan. The Committee reviewed the projects listed within three (1. Beautiful Community, 2. Safe Community, 3. Full Service Community) of the six goals in the Strategic Plan. Several projects have been completed and progress has been made on others. The Committee plans to continue its review of the Strategic Plan at its March 7th meeting.

4. `Executive Session

An Executive Session was held to discuss matters under attorney-client privilege.

APPENDIX B
ORDINANCE COMMITTEE
Tuesday, February 21, 2017
7:00 p.m.
Hurley Building Conference Room

Committee: David Whitcomb, Chair; Nick Cutri; Matt Martin; Karen White

Other Council Members: Ellen Polimeni, Anita Twitchell

Staff: Ted Andrzejewski; John Goodwin; Michele Smith

1. Vending Guidelines and Regulations

Several issues arose over the last year which necessitates another review of the vending regulations:

- Limited locations Downtown;
- Parking spaces at the City Pier and Downtown utilized;
- The permit lottery system.

In summary, the proposed changes are that the permits Downtown would be limited to one and located in the Commons at a designated spot and move vendors from parking spaces on City Pier to designated spots.

John Goodwin indicated that after looking at the downtown area with the BID the Commons does not appear to have a good location but the area in front of Salvation Army and Chase Bank still appears to be the best location. On City Pier, the DPW built pads on the other side of west side of the pier. That location seems to be working and the ordinance should be changed to reflect it. No change to the lottery system other than limiting downtown vendor to one permit.

Denise Chappel expressed some concerns not addressed, such as time limits for loading and unloading carts; protective pad for under cart; revise regulations to require vendor to pay for special event. Discussion by Committee of whether or not downtown vendor should pay additional fee to special events. Also, discussion regarding if the City should continue with the lottery system or go to first refusal.

Table until the current downtown vendor can be invited to the next meeting.

2. Food Trucks

In 2014 a great deal of discussion took place regarding a proposed ordinance (Ordinance #2014-009) relative to mobile food vending operation. The ordinance was voted down at the September 4, 2014 City Council meeting. Due to a recent interest in food truck operation in the City, Councilmember Whitcomb asked that the Committee renew its discussion.

General discussion. No further action at this time.

3. Executive Session – Legal Update

The City Attorney will provide an update to City Council on legal matters.

Adjourned at 8:32

APPENDIX C
FINANCE/BUDGET COMMITTEE
Tuesday, February 28, 2017
7:00 p.m.
Hurley Building Conference Room

Committee: James Terwilliger, Chairman; Robert O'Brien; Cindy Wade; Karen White

Other Council members: Ellen Polimeni, Anita Twitchell;

Staff: Ted Andrzejewski; John Goodwin; Michele Smith; Jim Sprague; Jim Abraham; Ben Cramer; Nancy Abdallah

1. Ontario County Values, Inc - Fire Service Figures

Ontario County Values, Inc. (Francis Coleman and Bill Compton) released a report on the cost of fire services in Ontario County. Attached is their report.

Non-partisan, neutral party, non-advocates – simply provides unbiased source of information. The purpose of the study was to present the tax cost to each area of the County for fire service, to allow a valid comparison on a consistent basis. City of Canandaigua tax is approximately \$2.01/\$1000 of assessed value. Study was strictly about comparison of tax expenditures. They did not take into account the different types of service levels, personnel, or the different types of departments.

2. Kershaw Park Concession

The Bathhouse at Kershaw Park includes a food service concession area that sells goods to visitors of the beach and Kershaw Park. The City has contracted out the operation via a revocable license agreement. An RFP was prepared and sent to all previous vendors, vendors that have vending permits in the City, and was advertised on the City website. Only one proposal was received from Abdallah Family Foods, Inc. for a total bid of \$2,205. The revocable license agreement provides the option to renew the license for two successive years. Staff recommends authorizing the revocable license agreement. Jim Abdallah spoke to the Committee regarding his business plan. Concessions will be open for longer period of time and set hours.

Motion to approve made by Karen White, 2nd by Cindy Wade. Vote 4-0

3. Policy Review

Every so often the NYS Comptroller or the City's auditors will recommend that the City adopt new policies. Upon their recommendations, staff has drafted two new policies for the Committee's Review: (1) Online Banking Policy and (2) Standard Work Day. The Investment Policy also needs to be amended to reflect a bank merger that occurred last year. First Niagara Bank was purchased by Key Bank and thus Key Bank must replace First Niagara Bank as a listed City depository. All three policies are attached to the agenda.

Motion to approve all the policies as recommended made by Cindy Wade, 2nd by Robert O'Brien. Vote 3-0 (Jim Terwilliger recused himself because CNB is named in Investment Policy)

Topic for later discussion should be review of City investments.

APPENDIX C (Continued)
FINANCE/BUDGET COMMITTEE
Tuesday, February 28, 2017

4. Sewer Fund Capital Budget Amendment

\$100,000 that was included in the 2016 Sewer Fund Capital Budget for sewer lining was not spent. The Department of Public Works bid a contract for cured-in-place sewer pipe lining with an option to perform a larger amount of sewer lining, pending City Council approval to appropriate the unspent 2016 funds. A bid opening was held on February 24, 2017 and two bids were received. The lowest responsible bid was received by Insituform Technologies for a total cost of \$182,740 (\$71,820 for the 2016 portion and \$110,920 for the 2017 portion). Staff recommends appropriating an additional \$82,740 in the 2017 Sewer Fund Capital Budget and awarding the contract to Insituform Technologies.

Motion to approve the contract made by Cindy Wade, 2nd by Robert O'Brien. Vote 4-0

5. Multiple Streets Reconstruction Project

The 2015 Multiple Street Reconstruction Project was awarded to Sealand Contractors Corp. via Resolution #2015-049 for a total contract price of \$2,398,040.60. The City Council also set aside a construction contingency of \$200,000. The final payment includes a change order totaling \$269,577.01 which is \$69,577.01 over the contingency.

This overrun was caused by multiple factors including:

(1) an error in the published area of the Hubbell Street reconstruction, as calculated by the design engineer, made the quantities for subbase, binder asphalt and top asphalt in the bid documents 33% less than required;

(2) the quantity of bedrock removal that was required was eight times (8X) of the quantity included in the bid documents;

(3) project scheduling called for the use of approximately six times (6X) as much temporary asphalt of the quantity included in the project bid documents.

The soft costs (bonding, engineering and inspection) however, were under budget and have a total of \$45,089.22 available to be transferred. The project does not have any funds remaining in the authorized bond of \$2,900,000. As a result, \$24,487.79 is necessary from other sources to fund the construction overage. In 2016, the City applied for and received CHIPS funding toward the annual oil and stone program in the General Fund. This is unanticipated revenue in the General Fund. Staff recommends transferring \$24,487.79 from the 2017 General Fund to the Capital Bond Fund to fund the construction overage.

Jim Sprague spoke to how the project evolved and these additional costs were incurred. The matter of how these changes were made and not brought to Council's attention sooner is still being investigated. Overage was not caused by additional work that would require a change order but from miscalculation (approx. \$169,000.). Sealand did the work that was contracted for and City Manager recommends they be paid.

Motion to transfer funds and pay Sealand, also Management shall proceed with discussions with Chatfield Engineers to recoup costs incurred as a result of their error in calculation, made by Robert O'Brien, 2nd by Cindy Wade. Vote 4-0. Failed

Motion to transfer funds and authorize Management to proceed with discussions with Chatfield Engineers and Sealand to recoup costs incurred as a result of the error in calculation, (Payment will be withheld until further information obtained) made by Robert O'Brien, 2nd by Karen White. Vote 4-0 Passed

APPENDIX C (Continued)
FINANCE/BUDGET COMMITTEE
Tuesday, February 28, 2017

6. Supplemental Resolutions proposed for Council meeting by the Mayor:

Supporting Research and Funding for Algae Blooms

Motion to approve made by Robert O'Brien, 2nd by Cindy Wade. Vote 4-0

Think Differently Initiative

Motion to approve made by Cindy Wade, 2nd by Robert O'Brien. Vote 4-0

Increase Reimbursement for Arterial Maintenance Agreement

Motion to approve made by Robert O'Brien, 2nd by Cindy Wade. Vote 4-0

7. David Genecco and Robert Murphy – appeared at the meeting to discuss some of their hurdles bringing the hotel to fruition. They are seeking government assistance to lower their “per key” costs since much of their equity was expended to benefit public property. Once financing obtained, construction will be complete within 16 months.

They are hopeful that the City can work with them to obtain some type of grant funding. No action at this time but table and discuss further at the next meeting.

8. Executive Session – Collective Bargaining Negotiations

Motion to enter into executive session made by Karen White, 2nd by Robert O'Brien. Vote 3-0 (Cindy left at 9:00)

Motion to adjourn at 9:55

APPENDIX D
CANANDAIGUA CHARTER COMMITTEE REVIEW
Wednesday, February 15, 2017
6:00 p.m.
Hurley Building Conference Room

Members Present: Paul Bringewatt, Chair; Thomas Lyon, Vice-Chair; John Goodwin, Secretary; Jim Irwin; David Whitcomb (arrived at 6:20); Bob Palumbo; Nick Cutri; Jack Chambers; Karen White

Members Absent: Matt Martin; Jadon Hoffman

Advisors Present:

Guests:

1. Approval of Minutes from January 11, 2017 meeting

- a. Motion made by Karen White, 2nd Bob Palumbo. Approved 8-0

2. Administrative Information

- a. None

3. General Discussion of Proposed City Charter

- a. Paul Bringewatt discussed his reservations regarding certain changes that have been previously approved by the Commission. Although the changes were good and should be passed, he felt that there would be too much clutter, making things needlessly complicated.

b. The Commission reviewed the list of Paul's suggested changes and voted to:

- i. Redraft the definition of Officer**
- ii. Remove the changes made to §3.5 Councilmember; Compensation**
- iii. Leave the changes made to §3.8 Mayor**
- iv. Remove the changes made to §5.3 Acting City Manager**
- v. Remove the changes made to §5.4 Manager Power and Duties**
- vi. Leave the changes made to §7.3 Board of Assessment Review**
- vii. Remove the changes made to §16.1 Limitations of Actions against the City, but change the reporting requirement of the Clerk/Treasurer from "at the next meeting" to "periodically."**

4. Set Public Hearing

- a. Motion made by Jim Irwin, 2nd Karen White to schedule a public hearing on March 15, 2017 at 7 PM to take place at the Hurley Building. Approved 8-0**

APPENDIX D (Continued)
CANANDAIGUA CHARTER COMMITTEE REVIEW
Wednesday, February 15, 2017

5. Review of Sub-committee Public Education

a. Explanation of Proposed Changes

- i. The Commission discussed that maybe a separate list with no changes should be put together.
- ii. The Commission discussed that footnotes be added to the Draft Charter with the explanations of proposed changes.

b. Proposed Referendum Questions

- i. The general consensus was to keep the questions simple. Of the two proposed lists of questions the set of four (4) was preferred.

c. Terms and Staggered Election Plan

- i. No change to the education material.

d. Tax Lien Process

- i. The Commission discussed adding some more detail in the form of notes discussing the protections added.

6. Other

- a. None

7. Adjourn

- a. Motion made by Jim Irwin, 2nd by Karen White. Approved 8-0. Meeting adjourned at 7:12 PM.